

basis of any challenge to the appropriateness of the division). *See* Local Civil Rule 3.01.

ANSWER: The claims alleged in Plaintiff's Complaint are properly assigned in the Charleston Division because (1) Defendant Brantley Thomas resides within this Division; (2) a substantial part of the events or omissions giving rise to the claims alleged in the Complaint occurred in this Division; and (3) the Defendants named in the Complaint do business in this Division relating to the events or omissions alleged in the Complaint. Local Civ. Rule 3.01(A)(1) (D.S.C.).

E. Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide:

- (1) a short caption and the full case number of the related action;
- (2) an explanation of how the matters are related; and
- (3) a statement of the status of the related action.

Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

ANSWER: This case is related to the case of *United States v. Brantley Denmark Thomas, III*, Case No. 2:17-cr-01150-DCN, wherein Brantley Denmark Thomas, III ("Thomas") has been charged, *inter alia*, with Honest Services Wire Fraud in violation of 18 U.S.C. §§ 1343 and 1346. Thomas is a named defendant in the Plaintiff's Complaint herein, and the foregoing crimes alleged against him in the Information in the criminal matter arise, in large measure, from the same transactions, happenings, or events as the civil claims alleged against him and the remaining Defendants in the Plaintiff's Complaint. Thomas has entered into a plea agreement with the United States in the criminal matter, and, on January 16, 2018, entered a plea of guilty to the charges of Honest Services Wire Fraud against him.

[SIGNATURE PAGE TO FOLLOW]

Respectfully Submitted,

SMYTH WHITLEY, LLC

s/Joshua S. Whitley

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Charleston, South Carolina
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